

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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	:	<u>NOT FOR PUBLICATION</u>
CHARLESETTA O'NEAL: BEY,	:	
	:	
Plaintiff,	:	
	:	
	:	<u>MEMORANDUM & ORDER</u>
- against -	:	
	:	
	:	16 Civ. 438 (AMD)
MUNICIPAL CREDIT UNION; KAM WONG,	:	
Chief Executive Officer; ROBERT LEE, Chief	:	
Financial Officer; BERKMAN, HENOCH,	:	
PETERSON, PEDDY & FENCHOL, PC;	:	
STEVEN J. PEDDY, Chief Executive Officer;	:	
and ALL AGENTS 1-99,	:	
	:	
Defendants.	:	
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FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
★ JUN 16 2016 ★
BROOKLYN OFFICE

ANN DONNELLY, District Judge.

The *pro se* plaintiff continues to file submissions in the above-captioned closed case. This case was dismissed on April 28, 2016 for lack of subject matter jurisdiction and for failure to comply with the requirements of Rule 8 of the Federal Rules of Civil Procedure. Then, on May 9, 2016 the plaintiff filed a motion pursuant to Rule 5.1(a) of the Federal Rules of Civil Procedure which was denied, because the Court cannot entertain any motions in a closed case other than a motion to reopen, and Rule 5.1(a) does not create an independent cause of action in federal court. Now before me is the plaintiff's request for certification of her Rule 5.1(a) challenge to the Attorney General of the United States. As there are no grounds for granting such relief in this closed case, the request is denied.

The plaintiff's frequent filing of frivolous motions in a closed case wastes judicial resources and will not be tolerated. The plaintiff is warned that if she continues to file frivolous

submissions in this case, the Clerk of Court shall be directed not to accept any further filings from the plaintiff in this case, other than a Notice of Appeal. I certify pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

SO ORDERED.

s/Ann M. Donnelly

Ann M. Donnelly
United States District Judge



Dated: Brooklyn, New York
June 16, 2016